

REMARKS

Claims 1, 3-6, and 8-13 are presently pending in the application. Claims 1, 3, 6, 8-9, and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,523,177 (“Brown”) in view of U.S. Patent No. 5,765,097 (“Dail”). Claims 4-5, 10-11, and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brown and Dail in view of 5,850,218 (“LaJoie”).

The present invention is directed towards a *burst-mode digital transmitter that only transmits reverse signals with the presence of a carrier signal*, which is otherwise known as “burst-mode” transmission. Only transmitting reverse signals with the presence of a carrier is advantageous to a communications system such as described in Brown because there is no longer a requirement for a one-to-one correlation between a transmitter and receiver. More specifically, there may be several reverse transmitters that are combined and received by one receiver. Furthermore, the ingress or noise that is introduced with transmitted signals is greatly diminished in the system.

Applicants respectfully traverse the obviousness rejection based on Brown and Dail because the examiner has not made a prima facie case of obviousness. In prior art, as in the teachings of Brown, reverse transmitters transmit at all times regardless of whether or not a carrier is present. Specifically, there is no teaching in Brown of a carrier-detect circuit as implied by the Examiner’s statement “is necessarily included in the operation of the node 400” of transmitting reverse signals only with the presence of a carrier signal. The teaching of Brown, both inherently and implied, is directed towards the nodes 400 transmitting reverse signals at all times regardless of the presence of a carrier signal. Consequently, reverse signals as well as noise signals are continuously being transmitted. Furthermore, the additional components (delay circuit and switch) of the present invention are used in order to ensure that when a carrier signal is detected, the reverse signal is sent in its entirety without a first portion of the reverse signal being prevented from transmission. It is respectfully submitted, therefore, that either alone or in combination with Dail, Brown does not teach or imply the reverse transmitter of the present invention. Applicant’s respectfully traverse the obviousness rejections and request reconsideration.

In light of the remarks, it is believed, therefore, that independent claims 1 and 6 are allowable over the cited art. Additionally, the dependent claims 3-5 and 8-13 are also patentable over the cited art. Reconsideration and reexamination of the present application is requested in view of the foregoing amendment and in view of the remarks.

CONCLUSION

The foregoing is submitted as a full and complete response to the Final Office Action dated May 4, 2006. Claims 1, 3-6, and 8-13 will be pending in the present application upon entry of the present amendment, with claims 1 and 6 being independent. Based on the amendments and remarks set forth herein, Applicant respectfully submits that the subject patent application is in condition for allowance. Because the claims may include additional elements that are not taught or suggested by the cited art, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

Upon entry of the foregoing Response, the above-identified patent application includes 2 independent claims. Because Applicant has previously paid for 20 total claims and 3 independent claims, Applicant submits that no additional fee is due. Should it be determined that any additional fee is due or any excess fee has been received, the Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to deposit account #19-0761.


Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned agent at the below-listed number.

Respectfully submitted:

SEND CORRESPONDENCE TO:

Scientific-Atlanta, Inc.
Intellectual Property Dept. MS 4.3.510
5030 Sugarloaf Parkway
Lawrenceville, GA 30044

By: _____


WM. BROOK LAFFERTY
Attorney of Record
Reg. No. 39,259
Phone: (770) 236-2114
Fax No.: (770) 236-4806